

REMARKS/ARGUMENTS

Claims 1-4 remain in this application. Claims 5-8 were withdrawn as the result of an earlier restriction requirement and have been canceled.

In view of the examiner's earlier restriction requirement, applicants retains the right to present claims 5-8 in a divisional application

With regard to the documents listed in the specification, applicants' attorney believes that all the documents mentioned in the Background of the Invention have already been cited to the Examiner by the applicants.

The rejection of claims 1-4 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention has been reviewed. In view of the following comments applicants' attorney respectfully requests reconsideration of this rejection.

In claim 1 the claim has been clarified to more specifically claim the invention. The fluorescence measurements are not take at two points in time to allow for the change in fluorescence to be monitored. Applicants' attorney respectfully submits that this amendment renders moot the rejection of claim 1.

In claim 3 the term "enhancing peptide" was viewed as unclear. Page 5 of the specification discusses the effect of adding synthetic peptides or peptides fragments of 61-90 and 61-75 of alpha synuclein to enhance the aggregation of alpha synuclein. As is apparent from the specification and Figures using peptides with at least the 61-75 amino acid residues of alpha synuclein up to peptides with the length of 61-90 amino acids residues of alpha synuclein significantly improves the aggregation rate of alpha synuclein. See page 5 of the specification and Figures 1 and 2. Accordingly, applicants' attorney respectfully submits that term "enhancing peptide" is not vague or indefinite in view of the specification.

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The rejection of claims 1-4 under 35 U.S.C. 103(a) as being unpatentable over Biere et al. (US 6,184,351) in view of Murray et al. has been reviewed, however, applicants' attorney respectfully requests reconsideration and withdrawal of this rejection.

The invention as currently claimed utilizes an enhancing peptide to expedite the rate at which assays related to alpha synuclein aggregation can be performed. In Figures 1 and 2 of the present invention the aggregation of alpha synuclein could be followed quite quickly over a much shorter time course than the prior art methods of assaying alpha synuclein aggregation or disaggregation.

Biere et al. in Figures 3, 6 and 7 follows alpha synuclein aggregation for hundreds of hours or days. In column 6, line 60 through column 7, line 5, Biere et al. discusses the long period of time involved in the aggregation of alpha synuclein. Similarly, Murray et al. had to continuously agitate at 37 C for 2 days to induce fibrilization to perform the assay described by Murray. Accordingly, applicants' attorney respectfully submits that neither Biere et al. nor Murray et al. suggest or disclose the applicants' invention as claimed. Therefore, applicants' attorney respectfully that the addition of the enhancing peptide to the assay as described in claim 1 is patentable over the Biere et al. and Murray et al.

Applicants respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: April 25, 2005